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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

KELLY WILSON, an individual,

Plaintiff,

vs.

THE WALT DISNEY COMPANY, a Delaware corporation; DISNEY ENTERPRISES, INC., a Delaware corporation; WALT DISNEY PICTURES, a California corporation; WALT DISNEY MOTION PICTURES GROUP, INC., a California corporation; and DOES 1 through 25, inclusive,

Defendants.

Case No. 3:14-cv-01441-VC

**PLAINTIFF'S EVIDENTIARY  
 OBJECTIONS TO DECLARATIONS  
 AND EXHIBITS FILED IN SUPPORT  
 OF DEFENDANTS' MOTION FOR  
 SUMMARY JUDGMENT**

Judge: Hon. Vince G. Chhabria

Date: April 9, 2015

Time: 10:00 a.m.

Ctrm: 4

Plaintiff Kelly Wilson ("Plaintiff") submits the following evidentiary objections to the Declarations of Peter del Vecho, Matt Roberts, Edwin Fabian and Erin Cox, and the Exhibits that are referenced in or accompany those declarations, filed in support of Defendants' motion for summary judgment:

**EVIDENTIARY OBJECTIONS TO DECLARATION OF PETER DEL VECHO**

- ¶5; lines 26-28 ("Disney has used story meetings ... founded and ran the Studio.")

Objection: Lack of foundation

- ¶6; lines 6-8 ("Plaintiff's counsel marked ... *Frozen* teaser trailer.")

Objection: Hearsay; best evidence rule

- ¶6; lines 9-13 ("In addition to minutes ... the production process.")

Objection: Hearsay; best evidence rule

- ¶7; lines 14-21 ("Each set of minutes ... regularly conducted activity.")

Objection: Lack of foundation

- ¶8; lines 22-24 ("The minutes attached ... *Frozen* teaser trailer.")

Objection: Hearsay; best evidence rule

- ¶9; lines 25-26 ("As the notes reflect ... January 7, 2013.")

Objection: Hearsay; best evidence rule

- ¶10; line 1-4 ("As the notes ... in the teaser trailer.")

Objection: Hearsay; best evidence rule

- ¶10; line 10-13 ("One of the subjects discussed ... international audiences.")

Objection: Hearsay; best evidence rule

- ¶11; lines 16-26 ("The January 7, 2013 notes reflect ... Trying to find a nose.")

Objection: Hearsay; best evidence rule

- ¶12; lines 28 and 1-6 ("At this meeting, we discussed ... Dougherty to storyboard.")

Objection: Hearsay; best evidence rule

- ¶13; lines 8-16 ("Pages 1-2 contain ... carrot to retrieve it.")

Objection: Hearsay; best evidence rule

- ¶14; lines 18-28 and 1-3 ("As the minutes reflect ... in the feature film.")

Objection: Hearsay; best evidence rule

- 1 ■ ¶15; lines 4-25 (“The brainstorming ... teaser trailer.”)  
Objection: Hearsay; best evidence rule
- 2 ■ ¶16; line 1-3 (“As these minutes reflect ... Western stand-off.”)  
Objection: Hearsay; best evidence rule
- 3 ■ ¶17; lines 7-12 (“The brainstorming minutes reflect ... Sven as one shot.”)  
Objection: Hearsay; best evidence rule
- 4 ■ ¶17; lines 13-22 (“In the final teaser trailer ... through April 2013.”)  
Objection: Hearsay; best evidence rule
- 5 ■ ¶18; lines 24-25 (“I do not know of any person ... the teaser trailer.”)  
Objection: Hearsay; best evidence rule
- 6 ■ ¶18; lines 26-28 (“I am confident ... the teaser trailer.”)  
Objection: Speculation
- 7 ■ ¶18; lines 1-3 (“I think that ... fundamentally different.”)  
Objection: Irrelevant; lack of foundation; argumentative
- 8 ■ ¶19; lines 5-10 (“I understand that ... teaser trailer in particular.”)  
Objection: Argumentative
- 9 ■ ¶20; lines 15-21 (“To engage in ... the production process.”)  
Objection: Argumentative; speculative
- 10 ■ ¶20; lines 21-23 (“I am not aware of ... the *Frozen* teaser trailer.”)  
Objection: Hearsay
- 11 ■ Exhibit 1  
Objection: Hearsay; lack of foundation

## **EVIDENTIARY OBJECTIONS TO DECLARATION OF MATT ROBERTS**

- 23 ■ ¶6; lines 27-28 and 1-5 (“The recruiter screens ... for the position.”)  
Objection: Lack of foundation; speculation as to what other recruiters do
- 24 ■ ¶7; lines 6-8 (“The recruiter will ... by the recruiter.”)  
Objection: Lack of foundation; speculation as to what other recruiters do
- 25 ■ ¶8; lines 9-11 (“The recruiter puts together ... the hiring managers.”)  
Objection: Lack of foundation; speculation as to what other recruiters do

- ¶9; lines 13-14 (“Any hard copy documents ... after the position is filled.”)

Objection: Lack of foundation; speculation as to what other recruiters do

- ¶13; lines 17-21 (“My name appears ... person who reviewed his reels.”)

Objection: Hearsay; best evidence rule

- ¶14; lines 22-24 (“The artistic reels ... with a snowman character.”)

Objection: Hearsay; best evidence rule

### **EVIDENTIARY OBJECTIONS TO DECLARATION OF EDWIN FABIAN**

- ¶5; lines 2-4 (“The hiring manager ... the recruiting process.”)

Objection: Lack of foundation; speculation as to what is done by hiring managers

- ¶6; lines 7-8 (“Reels associated ... bin for shredding.”)

Objection: Lack of foundation; speculation

- ¶7; lines 10-19 (“If the recruiter ... by the recruiter.”)

Objection: Lack of foundation; speculation as to what is done by hiring managers and recruiters

- ¶9; lines 28 and 1 (“If a hiring manager ... reflected on his profile.”)

Objection: Lack of foundation; speculation as to what a hiring manager would have done

- ¶9; lines 1-2 (“On October 18, 2013 ... by Kim Diaz, a recruiter at Pixar.”)

Objection: Hearsay; best evidence rule; lack of foundation

- ¶10; lines 6-7 (“Kim Diaz completed ... the position applied for.”)

Objection: Hearsay; best evidence rule; lack of foundation

### **EVIDENTIARY OBJECTIONS TO DECLARATION OF ERIN COX**

- ¶53; lines 13-26 (“A review of the YouTube analytics ... on January 10.”)

Objection: Hearsay; best evidence rule; argumentative; lack of foundation

- ¶54; lines 1-28 and 1-2 (“A review of the YouTube analytics ... as of January 11.”)


Objection: Hearsay; best evidence rule; argumentative; lack of foundation

- ¶55; lines 3-21 (“A review of the YouTube analytics ... was 56 seconds.”)  
Objection: Hearsay; best evidence rule; argumentative; lack of foundation
- ¶56; lines 22-28 and 1-3 (“A review of the YouTube analytics... previously.”)  
Objection: Hearsay; best evidence rule; argumentative; lack of foundation
- ¶57; lines 4-6 (“A review of the YouTube analytics ... on YouTube.”)  
Objection: Hearsay; best evidence rule; argumentative; lack of foundation
- ¶58; lines 7-28 and 1-7 (“A review of the YouTube analytics ... from California.”)  
Objection: Hearsay; best evidence rule; argumentative; lack of foundation
- ¶59; lines 8-17 (“A review of the YouTube analytics ... on January 19.”)  
Objection: Hearsay; best evidence rule; argumentative; lack of foundation
- ¶63; lines 9-10 (“Defendants produced ... recruiting databases.”)  
Objection: Lack of foundation; hearsay
- ¶63; lines 13-14 (“Mr. Roberts was ... Walt Disney Animation Studios.”)  
Objection: Lack of foundation; hearsay

Dated: March 19, 2015

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